

HUMAN RIGHTS SITUATION IN HONG KONG:

HONG KONG WATCH BRIEFING ON EVENTS: JUNE 2022

EXECUTIVE SUMMARY

POLITICAL PRISONERS: ARRESTS, CHARGES, & TRIALS

In the last month, Beijing continued its crackdown on the pro-democracy movement in Hong Kong, with the following developments:

- Dozens of Hong Kong democrats could face life in prison as their national security case is transferred to the High Court.
- The former leader of the group behind Hong Kong's Tiananmen candlelight vigils, activist and barrister Chow Hang-tung, has sought to appeal her conviction and sentence.
- Six people are arrested as police stamp out attempts to commemorate the Tiananmen -Square massacre.
- A court has convicted former democratic politician Ted Hui in absentia for skipping bail.

A SLEDGEHAMMER TO CIVIL SOCIETY & EDUCATION

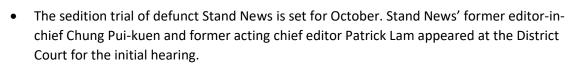
- The Hospital Authority Employees Alliance, founded in the wake of the 2019 protests, voted to disband. The union said it had faced "political oppression" and "white terror."
- New text books being introduced in Hong Kong will teach students that the Chinese government didn't recognise the treaties that ceded the city to Britain after the opium wars, claiming that the city never was a British colony.
- Hong Kong's education bureau has forced foreign English-language teachers working in Hong Kong government schools to swear allegiance to the city.

THE STATE OF THE RULE OF LAW

New Chief Executive John Lee asks court to relieve penalties for failing to comply with election regulations.

A FREE PRESS IN THE CROSS HAIRS

Factwire, an investigative news outlet, became the fourth major independent news platform to disband in under a year, following Apple Daily, Stand News, and Citizen News.



25TH ANNIVERSARY OF THE HANDOVER; 2ND OF THE NSL

- Tram ads for 25th Hong Kong handover anniversary pulled in Brussels. Two trams were set to traverse the Belgian capital between June 7 and August 29 bearing the slogan: "A New Era – Stability. Prosperity. Opportunity".
- Multiple media outlets are blocked from covering Xi's handover anniversary visit.
- Ahead of the anniversary, national security police search homes of six members of the League of Social Democrats (LSD), one of the last pro-democracy groups still active.
- Five are arrested for sedition ahead of the handover anniversary.
- Chinese President Xi Jinping made his first trip outside of mainland China in over two years to swear in the new Chief Executive, John Lee, hailing China's rule of Hong Kong.
- Condemnation from UK government and parliamentarians and calls for sanctions on Hong Kong and Chinese officials.
- G7 statement calls on China to honour its commitments made in the Sino-British Joint Declaration and the Basic Law.
- US condemns Beijing authorities on the anniversary of the handover.

STATE SECURITY AND ECONOMY

- An investor in China Evergrande Group has filed a winding-up petition against the property developer. It is the first winding-up petition known to have been filed against Evergrande.
- UK MPs call on Wimbledon to drop HSBC over its support for Hong Kong oppression.
- Chinese banks cut investment banking staff in Hong Kong during IPO drought.
- China asks foreign business leaders how to revive Hong Kong, reflecting China's increasing concern about poor economic data on both sides of the border.

OTHER DEVELOPMENTS

- Hong Kong has plunged further in a global human rights index report, bringing it on a par with Saudi Arabia in some indicators, and closer to converging with China.
- A new 'terrorism-reporting' hotline has been rolled out and offers up to 800,000 Hong Kong dollars (\$102,000) for information that assists in detecting terrorism-related crimes.
- UN High Commissioner for Human Rights Michelle Bachelet will forgo a second term.
- An activist has been granted political asylum by Sweden. It is believed to be the first asylum award for a Hong Konger in the European Union to explicitly cite the national security law.
- More than 540,000 Hong Kongers have been issued BNO passports since 2019 as 8,500 Hong Kong students are estimated to have applied for school places in Britain since last September.
- A Canadian MP, Jenny Kwan, has called for an expansion of Canada's lifeboat scheme for Hong Kongers.
- The Chinese government announced the appointment of John Lee's cabinet, a 26-member team. It includes seven incumbent political appointees, two undersecretaries, six serving or retired civil servants and four lawmakers.



POLITICAL PRISONERS: ARRESTS, CHARGES & TRIALS

Dozens of Hong Kong democrats could face life in prison as national security case is transferred to High Court

The high-profile national security case involving a number pro-democracy figures has largely been transferred to Hong Kong's High Court, with 44 defendants committed to the Court of First Instance for trial or sentencing. Dozens of defendants have spent more than a year behind bars as committal proceedings were repeatedly adjourned. Committal proceedings began last July and were adjourned numerous times in the months since.¹

The former leader of the group behind Hong Kong's Tiananmen candlelight vigils has sought to appeal her conviction and sentence

In January, Chow Hang-tung, activist and barrister was sentenced and convicted for 15 months for inciting others to take part in last year's banned commemoration. The former vice-chairperson of the defunct Hong Kong Alliance in Support of Patriotic Democratic Movements of China stood accused of publishing two articles online that related to the vigil. Commemorations were held at Victoria Park every year before being effectively banned in 2020 and the years since. Her appeal will be heard at the High Court on October 11.²

Six arrested as police stamp out attempts to commemorate Tiananmen Square massacre

Six people were arrested as authorities banned observance of the crackdown on student protesters in 1989. The arrests were made near Victoria Park, where tens of thousands of residents have typically lit candles to commemorate the event. They included a 69-year-old veteran activist who stood outside the park wearing a mask with the words "mourning June 4". Police alleged that he was "inciting others to participate in an unauthorised assembly".³

A Hong Kong court convicts former democratic politician Ted Hui in absentia for skipping bail

Prosecutors have introduced nine further charges against former pro-democracy lawmaker Ted Hui, alleging he harassed a man who filmed anti-government protesters and interrupted three Legislative Council sittings. A High Court judge declared Hui guilty of contempt of court after accepting the justice department's contention that the Australia-based exlawmaker had abandoned his right to defend himself. More than 30 people have been placed on a wanted list after failing to answer court bail in proceedings tied to the 2019 protests,

 $^{^{1}\} https://hongkongfp.com/2022/06/06/dozens-of-hong-kong-democrats-may-face-life-in-prison-as-national-security-case-transferred-to-high-court/$

² https://hongkongfp.com/2022/06/17/ex-leader-of-hong-kong-tiananmen-vigil-group-seeks-to-appeal-conviction-sentence-over-2021-banned-assembly/

³ https://www.ft.com/content/abbc018c-3f89-4885-9422-2eb4452b626e



according to Security Bureau statistics, but Hui is the only person to face contempt charges while in another jurisdiction.⁴

A SLEDGHAMMER TO CIVIL SOCIETY & EDUCATION

Hong Kong hospital staff union votes to disband

The Hospital Authority Employees Alliance, founded in the wake of the 2019 protests, voted to disband, officially dissolving on the second-year anniversary of the implementation of the National Security Law. It joins the 58 civil society groups that have disbanded since the onset of the NSL.⁵ In a Facebook post, the union said it had faced "political oppression" and "white terror." It pointed to its former chairwoman Winnie Yu, who is among 47 pro-democracy figures who may face up to life in prison over an alleged conspiracy to commit subversion under the Beijing-imposed security law.⁶

New Hong Kong textbooks will claim city never was a British colony

New text books being introduced in Hong Kong will teach students that the Chinese government didn't recognise the treaties that ceded the city to Britain after the opium wars. They ended in 1997 when Britain returned Hong Kong to Chinese control, and therefore the texts claim Hong Kong was never a British colony.⁷

The textbooks, which were submitted to the Hong Kong Education Bureau for vetting, have also adopted the government's account of the 2019 social unrest in Hong Kong, saying it was a threat to national security and external forces were behind the protests.⁸

Hong Kong's foreign teachers of English forced to take oath of allegiance

Hong Kong's education bureau has forced foreign English-language teachers working in Hong Kong government schools to swear allegiance to the city. Native-speaking English teachers (NETs) and advisers working in government-run schools were given a deadline of 21 June to sign a declaration in order to continue working.

⁴ https://www.scmp.com/news/hong-kong/law-and-crime/article/3180111/fugitive-hong-kong-politician-ted-hui-found-guilty

⁵ https://hongkongfp.com/2022/06/30/explainer-over-50-groups-gone-in-11-months-how-hong-kongs-prodemocracy-forces-crumbled/

 $^{^{6}\} https://hongkongfp.com/2022/06/27/hong-kong-hospital-staff-union-votes-to-disband-citing-pressure-from-all-sides/$

⁷ https://www.theguardian.com/world/2022/jun/15/new-hong-kong-textbooks-will-claim-city-never-was-a-british-colony

⁸ https://www.scmp.com/news/hong-kong/education/article/3181560/hong-kong-was-not-british-colony-china-did-not-recognise



NETs must declare they will bear allegiance to Hong Kong and uphold the Basic Law – the city's constitutional text – as well as being responsible to the government. "Neglect, refusal or failure" to sign the declaration would lead to contract termination.⁹

THE STATE OF THE RULE OF LAW

New Chief Executive John Lee asks court to relieve penalties for failing to comply with election regulations

The new Chief Executive, John Lee, ran three election advertisements in April, but failed to submit copies of related documents within one working day of their publication, an offence that is punishable by a HK\$5,000 fine and six months in prison. He has asked the city's High Court to waive penalties.¹⁰

A FREE PRESS IN THE CROSS HAIRS

Investigative news outlet Factwire ceases operations

Factwire, an investigative news outlet, became the fourth major independent news platform to disband in under a year, following Apple Daily, Stand News, and Citizen News. The disbandment comes weeks after it reported on the Chinese business links of John Lee's sons, and just over a month after it said its subscriber data had been hacked.¹¹

Sedition trial of defunct Stand News set for October

The sedition trial against defunct independent outlet Stand News will begin on October 31 and is scheduled to last for 20 days. Stand News' former editor-in-chief Chung Pui-kuen and former acting chief editor Patrick Lam appeared at the District Court for the initial hearing. The pair, along with Stand News' parent company Best Pencil (Hong Kong) Limited, have been accused of conspiring to publish "seditious publications" under the colonial-era sedition law.¹²

 $^{^{9}\} https://www.theguardian.com/world/2022/jun/12/hong-kong-nets-foreign-teachers-of-english-forced-to-take-allegiance-oath$

¹⁰ https://hongkongfp.com/2022/06/08/hong-kongs-john-lee-asks-court-to-relieve-penalties-for-failing-to-comply-with-election-regulations/

¹¹ https://hongkongfp.com/2022/06/10/breaking-hong-kong-investigative-news-platform-factwire-disbands/

¹² https://hongkongfp.com/2022/06/23/sedition-trial-of-defunct-hong-kong-outlet-stand-news-set-for-october/



25TH ANNIVERSARY OF THE HANDOVER; 2ND OF THE NSL

Tram ads for 25th Hong Kong handover anniversary pulled in Brussels

Two trams were set to traverse the Belgian capital between June 7 and August 29, bearing the slogan "A New Era – Stability. Prosperity. Opportunity", to mark the 25th anniversary of Hong Kong's handover from British to Chinese rule, but the ads were pulled 24 hours into the campaign after a raft of complaints.¹³

Multiple media outlets blocked from covering Xi's handover anniversary visit to Hong Kong

Journalists from more than seven organisations were blocked from covering official ceremonies to mark the 25th anniversary of Hong Kong's handover from British to Chinese rule that President Xi Jinping is due to attend. A spokesperson for the Hong Kong government said the government was "striking a balance as far as possible" between the need for media coverage and security requirements.¹⁴

National security police search homes of activist group members ahead of anniversary

Hong Kong national security police searched the homes of six members of the League of Social Democrats (LSD), one of the last pro-democracy groups still active in Hong Kong.¹⁵

Five arrested for sedition ahead of handover anniversary

In the two weeks leading up to the handover anniversary, two men, aged 28 and 30, were arrested and charged with "doing an act or acts with seditious intention", which carries a maximum penalty of two years in jail. They were suspected of posting messages on social media that "promote feelings of ill will and enmity between different classes of the population of Hong Kong and incite the use of violence", police said in a statement.

Police also announced three new arrests in relation to a previous case involving a martial arts coach accused of running an armed separatist movement. Officers arrested three men aged between 39 and 50 for sedition and said they seized "a large number of offensive weapons" including machetes, knives and swords from their residences.¹⁶

Xi Jinping hails China's rule over Hong Kong

¹³ https://www.scmp.com/news/china/diplomacy/article/3182550/brussels-tram-ads-25th-hong-kong-handover-anniversary-pulled?module=perpetual_scroll_0&pgtype=article&campaign=3182550

¹⁴ https://www.reuters.com/world/china/some-media-blocked-covering-xis-handover-anniversary-visit-hong-kong-2022-06-29/

¹⁵ https://hongkongfp.com/2022/06/30/hong-kong-25-activist-group-members-under-constant-surveillance-ahead-of-july-1-anniversary/

¹⁶ https://www.theguardian.com/world/2022/jun/24/hong-kong-five-arrested-sedition-25th-anniversary-chinabritish-handover



Chinese President Xi Jinping made his first trip outside of mainland China in over two years to swear in the new chief executive, John Lee, and lay out his vision for the city and its administrators.

Xi vowed that "one country, two systems" would endure, despite all evidence to the contrary. He said in his speech: "For this kind of good system, there is no reason to change it, it must be upheld for the long term."

"After much turmoil, people have learned a painful lesson that Hong Kong cannot be disorderly, it cannot afford to be," he said. "Hong Kong is in a new phase from disorder to stability, from stability to prosperity".¹⁷

Condemnation from UK government and parliamentarians and calls for sanctions on Hong Kong and Chinese officials

The UK Prime Minister released a video statement saying "Beijing has been failing to comply with its obligations".¹⁸ The UK Foreign Secretary was less equivocal, stating: "We have seen a steady erosion of political and civil rights since the imposition of the National Security Law on 30 June 2020. Authorities have stifled opposition, criminalised dissent and driven out anyone who can speak truth to power."¹⁹

Britain's last governor of Hong Kong, Lord Patten, said: "China has ripped up the joint declaration and is vengefully and comprehensively trying to remove the freedoms of Hong Kong because it regards them as a threat, not to the security of China but to the ability of the Chinese Communist Party to hang on to power."²⁰

The UK Parliament held a Westminster Hall debate, called for by Sir Iain Duncan Smith,²¹ with cross-party calls for sanctions against Hong Kong officials responsible for breaches of the Sino-British Joint Declaration. The SNP MP Brendan O'Hara MP called for an audit of Hong Kong officials' assets and homes in the UK,²² and the Labour frontbench MP Fabian Hamilton called on the government to introduce Magnitsky Sanctions against Hong Kong officials.²³

G7 statement calls on China to honour its commitments

The G7, meeting at Elmau in the Bavarian Alps in Germany, 26–28 June, issued a 28-page communique following the meeting, including a comment on Hong Kong: "We call on China

²² https://twitter.com/SamGoodman22/status/1542093017867239425?s=20&t=NKAsPTtyU8_jX81sfV6RRA

 $^{^{17}\} https://www.theguardian.com/world/2022/jul/01/hong-kong-25-years-handover-uk-us-criticise-erosion-of-rights-and-freedoms$

 ¹⁸ https://twitter.com/BorisJohnson/status/1542554137782534144?s=20&t=f-J8UQBuUH3Ln8vChA65XA
¹⁹ https://www.gov.uk/government/news/foreign-secretary-statement-on-the-25th-anniversary-of-the-handover-of-hong-kong

²⁰ https://hongkongfp.com/2022/06/21/hong-kongs-last-british-governor-accuses-beijing-of-vengefully-targeting-citys-freedoms/

²¹ https://whatson.parliament.uk/event/cal39091

²³ https://twitter.com/SamGoodman22/status/1542093924520677383?s=20&t=NKAsPTtyU8_jX81sfV6RRA



to honour its commitments made in the Sino-British Joint Declaration and the Basic Law, which enshrine rights, freedoms and a high degree of autonomy for Hong Kong."²⁴

US condemns Beijing authorities on anniversary of handover

US Secretary of State Antony Blinken issued a statement marking the 25th anniversary of the handover of Hong Kong, in which he was unambiguous in his condemnation of Beijing's approach in Hong Kong, saying: "Authorities have jailed the opposition, with many imprisoned for more than a year. Hong Kong's leaders have raided independent media organizations, shuttered museums and removed public works of art, weakened democratic institutions, delayed elections, prevented vigils, disqualified sitting lawmakers, and instituted loyalty oaths. Government officials have spread disinformation that grassroots protests were the work of foreign actors. They have done all of this in an effort to deprive Hong Kongers of what they have been promised."²⁵

STATE SECURITY AND ECONOMY

China Evergrande faces winding-up lawsuit in Hong Kong

An investor in China Evergrande Group has filed a winding-up petition against the property developer in Hong Kong. It is the first winding-up petition known to have been filed against Evergrande, which is reeling under more than \$300 billion in liabilities and whose offshore debt was deemed to be in default after missing payment obligations late last year.²⁶

MPs call on Wimbledon to drop HSBC over its support for Hong Kong oppression

MPs from the All-Party Parliamentary Group (APPG) on Hong Kong have called on Wimbledon to drop ties with HSBC, its banking partner, to show the championship will not tolerate links with any entity "complicit in oppression and human rights abuses". Signatories include Labour MP Siobhain McDonagh and former Green Party leader Baroness Bennett, as well as Lord Alton, a crossbench life peer in the House of Lords²⁷

Chinese banks cut investment banking staff in Hong Kong during IPO drought

Several major Chinese investment banks in Hong Kong including Haitong International and China Merchants Bank International have reduced staffing in their investment and equity capital divisions in Hong Kong to cut costs during the city's drought of initial public offerings. The move comes as the number of public listings in Hong Kong declined sharply in the first quarter of 2022 as a result of strict pandemic lockdowns, rising geopolitical tension between the US and China and Beijing's regulatory onslaught on the tech sector.²⁸

²⁴ https://www.consilium.europa.eu/media/57555/2022-06-28-leaders-communique-data.pdf

²⁵ https://www.state.gov/hong-kong-25-years-after-handover/

²⁶ https://www.reuters.com/business/china-evergrande-faces-winding-up-lawsuit-hong-kong-2022-06-27/

²⁷ https://www.telegraph.co.uk/business/2022/06/18/wimbledon-told-drop-hsbc-support-hong-kong-oppression/

²⁸ https://www.ft.com/content/a7867189-6ad5-4eb7-9b06-d4be9301ba4e



China asks foreign business leaders how to revive Hong Kong

The Liaison Office, Beijing's main body overseeing Hong Kong, sent invitations to commerce heads across the city in early June to seek their opinions on the challenges of operating in Hong Kong and mainland China, reflecting China's increasing concern about poor economic data on both sides of the border.²⁹

OTHER DEVELOPMENTS

Hong Kong plunges lower in global human rights index

Hong Kong has plunged further in the Human Rights Measurement Initiative's yearly ranking report, bringing it on a par with Saudi Arabia in some indicators, and closer to converging with China.

Indicators for the right to freedom of assembly and association, opinion and expression, and participation in government were also all "very bad", with average scores of 2.5. The scores were 4 or above in 2019. The survey found the right to freedom from arbitrary arrest in Hong Kong was in the lowest "very bad" range, with a score of 3.5 out of 10. The risk of torture and ill treatment was also considered high, falling in the "bad" range at 5.5.³⁰

'Terrorism-reporting' hotline launched

A new terrorism-reporting hotline has been rolled out in Hong Kong and offers up to 800,000 Hong Kong dollars (\$102,000) for information that assists in detecting terrorism-related crimes. A separate hotline, rolled out months after the NSL was adopted in 2020, received more than 200,000 tips in its first year of operation, according to authorities, who said that the new reporting line was aimed at nabbing "local extremists (who) have turned underground and become more covert."³¹

UN human rights chief to forgo second term amid China trip criticism

The United Nations' High Commissioner for Human Rights, Michelle Bachelet, has announced her decision to step down, citing "personal reasons", following her recent China trip that drew fierce criticism from activists and western politicians.³² Hong Kong Watch had called for Bachelet to visit Hong Kong and raise the deteriorating human rights situation with the Chinese government – in particular the case of political prisoners in Hong Kong.³³

²⁹ https://uk.news.yahoo.com/china-asks-foreign-business-leaders-041920847.html

³⁰ https://www.theguardian.com/world/2022/jun/22/hong-kong-plunges-lower-in-global-human-rights-index ³¹ https://asia.nikkei.com/Spotlight/Hong-Kong-security-law/Hong-Kong-launches-terrorism-tip-line-ahead-ofexpected-Xi-visit

³² https://www.theguardian.com/world/2022/jun/13/un-human-rights-chief-michelle-bachelet-no-second-term-china

 $^{^{33}\} https://www.hongkongwatch.org/all-posts/2022/4/5/the-severe-erosion-of-freedoms-and-rights-in-hong-kong-must-be-on-the-agenda-for-the-uns-human-rights-commissioners-upcoming-trip-to-china$



Activist granted political asylum by Sweden in security law first for EU

The activist and journalist Narayan Liu, who was born in Taiwan but raised in Hong Kong, has been granted political asylum, with the Swedish Migration Agency ruling that he would otherwise "risk arrest" in the city for activities that would be "considered in breach of the national security law". It is believed to be the first asylum award for a Hong Konger in the European Union to explicitly cite the national security law.³⁴

More than 540,000 Hongkongers issued BNO passports since 2019

A total of 541,873 BNO passports were approved for issue between 2019 and 2022, with 58 per cent of the travel documents granted in 2020 alone.³⁵ The news comes as 8,500 Hong Kong students are estimated to have applied for school places in Britain since last September.³⁶ The figures follow last month's data release by the UK government which showed that there were a total of 123,400 applications for the BNO visa from its opening at the end of January 2021 to the end of March 2022.³⁷

A Canadian MP calls for an expansion of Canada's lifeboat scheme for Hong Kongers

Jenny Kwan, MP for Vancouver East, in Canada, has written to the Minister of Immigration, Citizenship and Refugees, asking the Canadian government to drop the 5-year limit on the graduation requirement for Stream B (Canadian work experience) applicants and for the government to include all persons who hold an eligible education credential without the 5-year graduation limitation.³⁸

John Lee unveils his cabinet

The Chinese government announced the appointment of John Lee's cabinet, a 26-member team. It includes seven incumbent political appointees, two undersecretaries, six serving or retired civil servants and four lawmakers. The Chief Executive's Office director Eric Chan has taken up the role the chief secretary, the No. 2 official.³⁹

In a sign of continuity for the financial industry, Finance Secretary Paul Chan, who is free of U.S. sanctions, retained his post in the Chinese-ruled territory.⁴⁰

 $^{^{34}\,}https://www.scmp.com/news/china/diplomacy/article/3183050/hong-kong-activist-granted-political-asylum-sweden-security$

³⁵ https://www.scmp.com/news/hong-kong/society/article/3180489/more-540000-hongkongers-issued-bno-passports-2019-most

³⁶ https://www.scmp.com/news/hong-kong/education/article/3182728/bno-scheme-more-8500-hong-kong-students-estimated-have

³⁷ https://www.gov.uk/government/statistics/immigration-statistics-year-ending-march-2022/how-many-people-come-to-the-uk-each-year-including-visitors#british-national-overseas-bno-route

³⁸ https://twitter.com/hk_watch/status/1539953548242436096?s=20&t=yAxOULLfwDImLyyzD7FIvA

³⁹ https://www.scmp.com/news/hong-kong/politics/article/3182251/beijing-approves-hong-kong-chief-executive-elect-john-lees

⁴⁰ https://asia.nikkei.com/Politics/Hong-Kong-new-government-retains-finance-chief-in-sign-of-continuity